

The Orissa Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1773 CUTTACK, WEDNESDAY, AUGUST 3, 2011/SRAVANA 12, 1933

REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 27th July 2011

No. 1387—CON-R-13/2010-R(CS)—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, Governor of Orissa hereby makes the following rules to regulate the methods of recruitment and conditions of service of persons appointed to the Orissa Revenue Service, namely :—

PART I

GENERAL

1. Short title and commencement :

- (1) These rules may be called the Orissa Revenue Service (Recruitment) Rules, 2011.
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. Definitions :

- (1) In these rules, unless the context otherwise requires :—
 - (a) "Commission" means the Orissa Public Service Commission;
 - (b) "Committee" means the Selection Committee constituted under Rule 10;
 - (c) "Department" means the Revenue & Disaster Management Department;
 - (d) "Government" means the Government of Orissa;
 - (e) "Persons with Disabilities (or Physically Handicapped Persons)" means persons who would have been granted disability certificates by competent authority as per Rule 4 of the persons with Disabilities (Equal Opportunities, Protection of Right, and Full Participation) Orissa Rules, 2003;
 - (f) "Scheduled Castes and Scheduled Tribes" means such Castes and Tribes as notified by the President of India from time to time under Article 341 and 342 of the Constitution of India, respectively;
 - (g) "SEBC" means the Socially and Educationally Backward Classes of citizens other than the Scheduled Castes and Scheduled Tribes as may be specified by the State Government from time to time in the lists under the Orissa State Commission for Backward Classes Act, 1993;

- (h) "Sports-person" means a person who would have been issued with identity card as Sports Person by the Director, Sports as per Resolution No. 24808-Gen., dated the 18th November 1985 of General Administration Department; and
 - (i) "Ex-serviceman" means person as defined in the Orissa Ex-servicemen (Recruitment to State Civil Services & Posts) Rules, 1985;
 - (j) "Probationer" means a member of the service appointed on Probation;
 - (k) "Select List" means the list finally approved by the Government containing the names of officers considered suitable for promotion/selection in consultation with the Commission;
 - (l) "Service" means the Orissa Revenue Service;
 - (m) "Year" means the calendar year.
- (2) All other words and expressions used in these Rules but not specifically defined shall, unless the context otherwise requires, have the same meanings respectively assigned to them in the Orissa Service Code.

3. Constitution of the Service :

The service shall consist of the following posts and such other posts as may be notified by Government from time to time:

- (i) Assistant Collector,
- (ii) Assistant Settlement Officer,
- (iii) Assistant Consolidation Officer,
- (iv) Additional Tahasildar,
- (v) Sub-Registrar.

PART II

METHODS OF RECRUITMENT

4. Method of Recruitment :

Subject to other provisions of these rules, recruitment to the posts in the service shall be made by the following methods, namely :

- (a) Not more than 50% of the posts shall be filled up by way of direct recruitment through Combined Competitive Examination conducted by the Commission as per the provision of the Orissa Civil Services (Combined Competitive Recruitment Examination) Rules, 1991.
- (b) Not more than 30% of the posts shall be filled up by way of promotion of officers of outstanding merit from among the officers of the Department, as envisaged under Rule 6.
- (c) Not more than 20% of the posts shall be filled up by way of selection as envisaged under Rule-7.
- (d) The number of post to be filled up during a year will be decided by Government taking into consideration various aspects like cadre strength, need for effective cadre management, administrative convenience, etc.

5. Reservations :

Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for—

- (a) Candidates belonging to Scheduled Castes and Scheduled Tribes and the same shall be filled up in accordance with the provisions contained in the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder or any other law or rule in force at the relevant time; and
- (b) Candidates belonging to SEBC, Women, Sportsperson, and Ex-serviceman and Physically Handicapped persons shall be filled up in accordance with the provisions made under such rules, orders or instructions issued in this behalf by the Government from time to time.

PART III

PROMOTION AND SELECTION

6. Eligibility Criteria for Promotion :

- (1) No person shall be considered for appointment by promotion under Clause (b) of Rule 4 to the service unless;
 - 1. (a) He/She is a graduate; and has worked for at least ten years in any one or more than one post taken together as Consolidator Grade-I, Kanungo, Revenue Supervisor, Revenue Inspector or Ministerial Officer under Board of Revenue/RDCs/Collectors/and other Revenue Offices on the 1st day of January of the year in which the Committee meets; and
 - (b) He/She has passed Departmental examination, if any; and
 - 2. He/She is not more than 53 years of age as on 1st day of January in which the Committee meets.

7. Eligibility Criteria for Selection :

No person shall be considered for appointment by selection under Clause (c) of Rule 4 to the service unless,

- (a) He/She is a graduate, and has worked for at least 5 years of service in Group-C post carrying a pay scale of Rs.4,750—7,500 in prerevised scale of pay (ORSP Rule 1998) corresponding to Pay Band 2, Rs. 9,300—Rs. 34,800 with Grade Pay of Rs. 4,200 or higher scale of pay on the 1st day of January in which the Selection Board meets.
- (b) He/She has passed Departmental examination, if any, and
- (c) He/She is not more than fifty years of age on the 1st day of January in which the Committee meets.

8. Preparation of Gradation List for Promotion :

- (1) For the purpose of consideration of promotion to the service under Clause (b) of Rule 4 a common gradation list of eligible officers shall be prepared by the Secretary, Board of Revenue, Orissa on the basis of their date of appointment to their respective cadres :

Explanation—While preparing the common Gradation list the officers in higher pay scale or with higher grade pay in a pay band will be placed above those in the lower pay scale or lower grade pay in same pay band :

Provided that the *inter-se* seniority fixed in their respective cadre shall not be violated :

Provided further that in case, the date of appointment of two or more officers happens to be the same, the person elder in age shall be placed above the younger.

9. Calling for Recommendation for Promotion and Selection—

Secretary, Board of Revenue, Orissa shall call for the recommendations for Promotion and Selection under Clause (b), (c) of Rule 4 to the service, the names of eligible officers for consideration by the Committee.

10. Constitution of Selection Committee—

(1) There shall be constituted a Selection Committee with the following members for appointment by promotion and selection of persons to the Service under Clause (b) and (c) of Rule 4, namely :

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|-----|---|----|------------------|
| (a) | Member, Board of Revenue, Orissa | .. | Chairman |
| (b) | Secretary to Government, Revenue & Disaster Management Department | .. | Member |
| (c) | Revenue Divisional Commissioners | .. | Members |
| (d) | Inspector General of Registration | .. | Member |
| (e) | The Secretary, Board of Revenue | .. | Member-Secretary |

(2) The recommendation of the Selection Committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

11. Procedure of Selection by the Committee :

(1) The Committee shall meet at least once in a year preferably in the month of January to prepare two separate lists of officers, as are held by them, suitable for promotion and selection to the service taking into account the existing vacancies and the anticipated vacancies of the year.

(2) The Committee while considering the cases of suitable officers and preparation of the list shall follow the provisions of—

- (a) the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder or any other law/rules in force at the relevant time.
- (b) the Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988.
- (c) the Orissa Civil Services (Criteria for Promotion) Rules, 1992 and
- (d) the Orissa Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

12. Consultation with the Commission :

The recommendations of the Committee under Rule 10 shall be referred to the Commission through the Government for concurrence along with a list of all eligible candidates, including those who have not been recommended together with the service particulars and other relevant documents, if any.

13. Recommendation of the Commission :

(1) The Commission shall consider both the lists separately for promotion and selection prepared along with the service particulars received under Rule 12 and shall furnish its recommendations to the Government not exceeding the total number of vacancies, separately each for promotion and for selection.

(2) The list of persons not exceeding the number of vacancies for appointment to the service or posts by promotion under Clause (b) of Rule-4 shall be arranged in order of merit.

(3) The list of persons not exceeding the number of vacancies for appointment to the service or, posts by selection under Clause(c) of Rule-4 shall be arranged in order of merit.

14. Select List :

(1) The list recommended by the Commission shall be placed before the Government and after approval of the Government shall form the select list.

(2) The list referred to under sub-rule (1) shall be in force for a period of one year from the date of its approval by the Government or until another select list is prepared, whichever is earlier:

Provided that the Government may at any time in consultation with the Commission for grave lapses in conduct or deterioration in standard of performance of duty on the part of any person included in the list remove the name of such persons from the list.

PART IV

OTHER CONDITIONS OF SERVICE

15. Filling up vacancies :

(1) Appointment to the service by direct recruitment shall be made in the order in which the names of the persons appear in the merit list furnished by the Commission.

(2) Appointment to the service by promotion and by selection shall be made in order in which the names of the persons appear in the select list under Rule 14.

(3) If adequate number of candidates are not available for recruitment by promotion and selection the resulting vacancies shall be filled up by direct recruitment.

16. *Inter se* seniority :

The seniority of officers appointed to the service in respect of a particular year shall be in the following order :

- (a) Provided that Officers appointed to the service by promotion under Clause (b) of Rule 4 shall rank *inter se* in the order in which their names are arranged in the select list and shall enblock be senior to officer appointed under Clause (c) of Rule-4;
- (b) Provided that Officers appointed to the service by selection under Clause (c) of Rule 4 shall rank *inter se* in the order in which their names are arranged in the select list and shall enblock be senior to those officers appointed under Clause (a) of Rule 4 :

- (c) Provided further that Officers appointed to the service on the result of a Combined Competitive Recruitment Examination in accordance with Clause (a) of Rule 4 shall rank *inter se* in the order in which their names are arranged by the Commission.

17. Probation and confirmation :

(1) Every person appointed to the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion or selection shall be on probation for a period of one year from the date of joining the post :

Provided that the Government may, if think fit in any case or class or cases, extend the period of probation or terminate the probation of an officer on the grounds of unsatisfactory performance:

Provided further that such period of probation shall not include—

- (a) extraordinary leave;
- (b) period of unauthorized absence; or
- (c) any other period held to be not being on actual duty.

(2) The appointment of a probationer may, for good and sufficient reasons to be recorded in writing, be terminated by Government at anytime without previous notice during the period of probation including extension of such period, if any and after such termination, the officer shall deem to be reverted to his/her former cadre/post, if he/she has been appointed on selection.

(3) A probationer after completing the period of probation to the satisfaction of Government and successful completion of the training under Rule 18 shall be eligible for confirmation subject to availability of substantive vacancy in the service.

18. Training :

On appointment to the service, all recruits shall have to undergo training which includes Institutional training, Revenue training as may be decided by Government from time to time and the officer shall have to pass departmental examination and to submit case records as per rules and instructions as may be made applicable.

19. Other Conditions of Service :

The conditions of service in regard to matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the State Government.

PART V

MISCELLANEOUS

20. Relaxation :

When it is considered by Government that it is necessary or expedient so to do in public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the persons in consultation with the Commission.

21. Initial Recruitment :

(1) Notwithstanding anything contained in these rules and the rules repealed by these rules all the members of the following services as on the date immediately preceding the date of coming into effect of these rules, shall be deemed to be validly recruited to the Service:

- (a) Orissa Registration Service Group-B

- (b) Orissa Settlement and Consolidation Service (Senior Grade)
- (c) Orissa Settlement and Consolidation Service (Junior Grade)
- (d) Orissa Sub-Registrar Service.

(2) (a) The *inter se* seniority of the District Sub-Registrars in Orissa Registration Service Group-B and the members of Orissa Settlement and Consolidation Service (Senior Grade) in Group-B shall be decided on the basis of the date of notification of the promotion order of the officers to Group-B post in the order of merit mentioned in the notification.

- (b) The *inter se* seniority of Sub-Registrars and members of Orissa Settlement and Consolidation Service (Junior Grade) shall be decided on the basis of relevant recruitment year to which the officer has been recruited and arranged in the following order :—
 - (i) Promotion Recruits,
 - (ii) Selection Recruits, and
 - (iii) Direct Recruits.

22. Interpretation :

If any question arises relating to the interpretation of these rules it shall be referred to the Government whose decision thereon shall be final.

23. Repeal and Saving :

The Orissa Settlement and Consolidation Service (Recruitment and Conditions of Service) Rules, 1980, Orissa Settlement and Consolidation Service (Sr. Grade) (Method of Recruitment and Conditions of Service) Rules, 2008, Orissa Sub-Registrars (Recruitment & Conditions of Service) Rules, 1983 and the Orissa Registration Service, Class-I and Class-II Recruitment Rules, 1988, in force immediately before the commencement of these rules in respect of the matters relating to the service and covered by these rules are hereby repealed :

Provided that save as otherwise provided in these rules any order or appointment made or action taken or things done under the rules, regulations, instructions, or orders so repealed shall be deemed to have been made, taken or done under the corresponding provisions of these rules.

24. Power to issue instructions :

The Government may also issue executive instructions not inconsistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

By order of the Governor
RAJ KUMAR SHARMA
 Commissioner-cum-Secretary to Government